

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: : CASE NO.: 22-22521-shl
: CHAPTER: 7
Deleneps LLC, : HON. JUDGE:
Debtor. : Sean H. Lane
: :
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ORDER GRANTING *IN REM* RELIEF FROM THE AUTOMATIC STAY

Upon the motion (the "Motion") of SN Servicing Corporation as servicer for U.S. Bank Trust National Association as Trustee of Chalet Series IV Trust (with any subsequent successor or assign, the "Movant"), (a) pursuant to 11 U.S.C. § 362(d)(1), from the automatic stay imposed in this case under 11 U.S.C. § 362(a) as to Movant's interest in real property commonly known as 14 Lea Court, Pomona, New York 10970 (County: Rockland; Section: 33.9; Block: 2; Lot: 4) (the "Property"), and (b) pursuant to 11 U.S.C. § 362(d)(4)(B), for *in rem* relief from the automatic stay imposed in subsequent cases under 11 U.S.C. § 362(a), such that any and all future filings under the Bankruptcy Code during the next two years by the debtor herein, Deleneps LLC (the "Debtor"), non-debtor DeAnn Patrice Epps, or any other person or entity with an interest in the Property shall not operate as a stay as to Movant's enforcement of its rights in and to the Property; and, after due and sufficient service and notice, the Court having held a hearing on the Motion on September 20, 2022; and no opposition having been submitted; and there is a basis to dismiss the case as reflected on the docket; and, after due deliberation, the Court having determined that the filing of the Debtor's bankruptcy

petition was part of a scheme to delay, hinder, and defraud creditors that has involved multiple bankruptcy filings by the Debtor and non-debtor DeAnn Patrice Epps affecting the Property; and good and sufficient cause appearing, including the failure of the Debtor non-debtor DeAnn Patrice Epps to perform their duties as debtors under the Bankruptcy Code in good faith in multiple bankruptcy cases affecting the Property, it is

ORDERED that the automatic stay under 11 U.S.C. § 362(a) is vacated under 11 U.S.C. § 362(d)(1)-(2) as to Movant's interest in the Property, to permit Movant to pursue its rights in and remedies in and to the Property; and it is further

ORDERED that, under 11 U.S.C. § 362(d)(4), and provided that this order is recorded in conformity therewith, this order terminating the automatic stay under 11 U.S.C. § 362(a) as to Movant's interest in the Property shall be binding in any other case filed under the Bankruptcy Code purporting to affect the Property that is filed not later than two years after the date of this order, such that the automatic stay under 11 U.S.C. § 362(a) shall not apply to Movant's interest in the Property; and it is further

~~ORDERED that the Movant is granted reasonable attorney fees in the amount of \$1,050.00 and costs in the amount of \$188.00 [SHL];~~ and it is further

ORDERED that the Movant shall promptly report to the chapter 7 trustee any surplus proceeds of the Property.

Dated: October 14, 2022

/s/ Sean H. Lane
United States Bankruptcy Judge